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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,704	05/23/2001	Lakshmi Arunachalam	002435.P002X	1786
24341 7590 02/23/2007 MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			EXAMINER PHILLIPS, HASSAN A	
			ART UNIT 2151	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/863,704

Applicant(s)

ARUNACHALAM, LAKSHMI

Examiner

Hassan Phillips

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/8/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to communications filed December 8, 2006.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 8, 2006 has been entered.

Information Disclosure Statement

3. The information disclosure statement filed December 8, 2006, has been received and considered by the examiner.

Claim Objections

4. The objections of claims 22 and 23 are withdrawn in light of the newly submitted claims 28-77.

Response to Arguments

5. Applicant's arguments with respect to new claims 28-77 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 28-68, 73-77, are rejected under 35 U.S.C. 102(e) as being anticipated by Lawlor et al. (hereinafter Lawlor), U.S. Patent 5,870,724.

8. In considering claim 28, Lawlor discloses a method of performing network-based transactions comprising: receiving a transaction request for a transactional service selected from a plurality of transactional services managed by at least one web merchant (i.e. "online payees", see Fig. 1), wherein the transaction request is transmitted over a managed connection (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); accessing an object (i.e. menu item) associated with the transactional service, (col. 31, lines 60-63); initiating at least one transactional application (i.e. "bill paying application", "account transfer application" etc.) corresponding to the transactional service, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); and executing the at least one transactional application,

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including utilizing the object, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

9. In considering claim 29, Lawlor discloses executing the transaction request interactively, (col. 7, line 60-col. 8, line 5).

10. In considering claims 30, 43, 61, and 74, Lawlor discloses the at least one web merchant provides services selected from a group consisting of: multi-media messaging, archival management, retrieval management, directory services, data staging, conferencing, financial services, home banking, risk management, payroll services, and human resources services, (col. 1, lines 13-22).

11. In considering claims 31, 46, 62, and 75, Lawlor discloses the transaction request is at least one of a group consisting of: a deposit into a bank account, a request for a loan from a bank, a purchase of a car from a car dealership, and a purchase of a car with financing from a bank, (col. 18, lines 59-63, col. 31, lines 60-63, col. 34, lines 14-37, col. 39, lines 28-44).

12. In considering claims 32, 52, and 76, Lawlor discloses the transactional service is provided using a service network over an IP-based facilities network, (col. 12, lines 9, 10, and col. 13, lines 42-45, col. 20, lines 45-55).

13. In considering claims 33, 53, and 77, it is inherent in the teachings of Lawlor that the transactional service is implemented to function as a routing switch within an application layer of an OSI model, (col. 12, lines 9, 10, col. 13, lines 42-45, and col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

14. In considering claim 34, Lawlor discloses the transactional request is processed by more than one Web merchant, (col. 6, line 62-col. 7, line 13).

15. In considering claim 35, Lawlor discloses receiving non-end user input to select the transaction request, (col. 6, line 62-col. 7, line 13).

16. In considering claim 36, it is inherent in the teachings of Lawlor that a plurality of additional transaction requests while processing the transaction request are prioritized, (col. 6, line 62-col. 7, line 13).

17. In considering claim 37, Lawlor discloses performing at least one selected from a group consisting of: applying security management to the managed connection, applying fault management to the managed connection, applying configuration management to the managed connection, applying performance management to the managed connection, and applying billing management to the managed connection, (col. 18, line 59-col. 19, line 22).

18. In considering claim 38, Lawlor discloses a method of providing a user (54) with a service over a network, the method comprising: allowing the user to connect to a networked server (52) and request the service, (col. 6, line 62-col. 7, line 13, Fig. 1); in response to the user's request for the service, presenting the user with a list of Point of Service (POSvc) applications, (col. 31, lines 60-63); allowing the user to select at least one of the presented POSvc applications, (col. 31, lines 60-63); in response to the user's selection, performing application layer switching to the selected POSvc application, (i.e. "bill paying application", "account transfer application", etc.), (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); accessing at least one networked object (i.e. data and routines for "bill paying application" and "account transfer application", etc.) for the requested service, by determining at least one network address of the networked object, the network address being based on an address of a node (i.e. destination bank) on the network at which the networked object resides, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13); and providing the service to the user by using the networked object, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

19. In considering claim 39, Lawlor discloses the user is presented with the list of POSvc applications by an exchange (52), (col. 17, line 61-col. 18, line 23, col. 31, lines 60-63, Fig. 1).

20. In considering claim 40, Lawlor discloses using a graphical user interface to present the list of POSvc applications, (col. 6, lines 62-64, col. 31, lines 60-63, Fig. 1).

21. In considering claim 41, Lawlor discloses the exchange is associated with the networked server, (col. 17, line 61-col. 18, line 23, Fig. 1).

22. In considering claim 42, Lawlor discloses the service includes vertical services, (col. 1, lines 13-22).

23. In considering claim 44, it is inherent in the teachings of Lawlor that the request for the service is a request for a transaction using a transactional application, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

24. In considering claim 45, Lawlor discloses the transaction is a commercial interaction that the user desires to perform, (col. 34, lines 14-27).

25. In considering claim 47, activating a Bank POSvc application, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); connecting to at least one service provided by the Bank, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); and performing banking transactions by: accessing at least one networked object associated with the banking transactions, , (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13); and accessing data from at least one

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database of the Bank, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13), are inherent in the teachings of Lawlor.

26. In considering claim 48, Lawlor discloses the connection between the user and the Bank is managed by the exchange, (col. 17, line 61-col. 18, line 23, col. 34, lines 14-27).

27. In considering claim 49, Lawlor discloses the exchange is on a distributed network, (col. 17, line 61-col. 18, line 23, Fig. 1).

28. In considering claim 50, Lawlor discloses the request for the service is a request for a plurality of transactions performed by separate transaction providers, (col. 6, line 62-col. 7, line 13).

29. In considering claim 51, Lawlor discloses the exchange manages the transaction data flow, (col. 17, line 61-col. 18, line 23, col. 34, lines 14-27).

30. In considering claims 54 and 64, Lawlor discloses the network is selected from a group consisting of: Internet, cellular network, web network, e-mail network, and television network, (col. 10, lines 25-28, col. 12, lines 9, 10, and col. 13, lines 42-45, also see col. 20, lines 45-55).

31. In considering claim 55, it is inherent in the teachings of Lawlor that the network address is an Internet address, (col. 20, lines 45-55, col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

32. In considering claims 56 and 65, it is inherent in the teachings of Lawlor that the network object includes a name, syntax and encoding, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

33. In considering claims 57 and 66, it is inherent in the teachings of Lawlor that the networked object's name is an administratively assigned object identification specifying an object type, which together with an instance of the networked object identifies a specific instantiation of the networked object, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

34. In considering claims 58 and 67, it is inherent in the teachings of Lawlor that the syntax of an object type defines a data structure corresponding to the object type, (col. 31, line 64-col. 32, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

35. In considering claims 59 and 68, it is inherent in the teachings of Lawlor that the encoding defines how information associated with the networked object is represented for transmission over the network, line 41, col. 33, lines 36-58, col. 34, lines 4-13).

36. In considering claim 60, Lawlor discloses a method for providing services over a network, the method comprising: using a service network over a facilities network, (col. 12, lines 9, 10, and col. 13, lines 42-45, also see col. 20, lines 45-55); presenting a plurality of e-commerce services associated with the service network to a user (54), (col. 31, lines 60-63, Fig. 1); receiving a user selection of a respective e-commerce service, (col. 31, lines 60-63); in response to the user selection: performing application layer routing by identifying one or more objects (i.e. data and routines for "bill paying application" and "account transfer application", etc.) for allowing the user to make at least one transaction associated with the e-commerce service, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); and using the identified objects to enable the user to perform the at least one transaction, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

37. In considering claim 63, Lawlor discloses managing transaction data flow, (col. 17, line 61-col. 18, line 23, col. 34, lines 14-27).

38. In considering claim 73, Lawlor discloses a method of providing a user (54) with a service over a network, the method comprising: receiving a transaction request for a transactional service, wherein the transactional service is an n-way interaction between the user and at least one Web merchant (i.e. "online payees", see Fig. 1), where n is an integer greater than one, (col. 6, line 62-col. 7, line 13); transmitting the

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transaction request over a managed connection, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); initiating a transactional application (i.e. "bill paying application", "account transfer application" etc.) associated with the transactional service, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); and executing the transactional application, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

Claim Rejections - 35 USC § 103

39. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

40. Claims 69-72, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor in view of Matthews, III et al. (hereinafter Matthews), U.S. Patent, 5,677,708.

41. In considering claim 69, Lawlor discloses a method for providing services over a network, the method comprising: receiving a transaction request for a transactional service, wherein the transactional service is selected from a plurality of transactional services, and wherein the transaction request is transmitted over a managed connection, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines

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4-13); initiating a transactional application (i.e. "bill paying application", "account transfer application" etc.) associated with the transactional service, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13); and executing the transactional application, (col. 31, line 60-col. 32, line 15, col. 33, lines 36-58, col. 34, lines 4-13).

Although the teachings of Lawlor disclose substantial features of the claimed invention, they fail to expressly disclose: the transactional services provided by a cellular provider.

Nevertheless, Lawlor does indicate services can be provided by other providers, (col. 1, lines 13-22). Also, cellular providers were well known in the art at the time of the present invention. This is exemplified in analogous teachings were Matthews discloses services being provided by a plurality of providers including cellular providers, (col. 7, lines 36-56).

Thus, if not implicit in the teachings of Lawlor, it would have been obvious to one of ordinary skill in the art to modify the teachings of Lawlor with Matthews to disclose the transactional services provided by a cellular provider. This would have advantageously extended the teachings of Lawlor to include well-known cellular devices and non-web switching sites, (Lawlor, col. 1, lines 13-22, Matthews, col. 7, lines 36-56).

42. In considering claim 70, Lawlor discloses executing the transaction request interactively, (col. 7, line 60-col. 8, line 5).

43. In considering claim 71, it is inherent in the teachings of Lawlor that a plurality of additional transaction requests while processing the transaction request are prioritized, (col. 6, line 62-col. 7, line 13).

44. In considering claim 72, Lawlor discloses performing at least one selected from a group consisting of: applying security management to the managed connection, applying fault management to the managed connection, applying configuration management to the managed connection, applying performance management to the managed connection, and applying billing management to the managed connection, (col. 18, line 59-col. 19, line 22).

Conclusion


45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is 571-272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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